

**SOCIAL WORK SECTION
MEETING MINUTES
JANUARY 11, 2012**

PRESENT: Eric Alvin, George Kamps, Nicholas Smiar, Daryl Wood

STAFF: Dan Williams, Executive Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant; Sharon Henes, Paralegal; and other Department staff

GUESTS: Marc Herstand and Jennifer O'Brien, NASW-WI Chapter; Joanne Barndt; Daryl Haessig, Upper Iowa University

CALL TO ORDER

Eric Alvin, Chair, called the meeting to order at 9:10 a.m. A quorum of four (4) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda:

- Item "D" (open session) Under the item titled "Administrative Matters" **ADD:** "Annual Policy Review – Board Member Guidebook" as item #2
- Item "N-2" (open session) Under the item titled "Legislation/Administrative Rule Matters" amend sub-header #2 as follows: "2011 Assembly Bill 438/**2011 Senate Bill 437**"
- Item "Q" (open session) Under the item titled "Items Received After Printing of the Agenda – 13) Speaking Engagement(s), Travel, or Public Relation Request(s)" **ADD** "Consideration of Attendance at the 2012 ASWB Board Member Training: March 2-4, 2012; June 15-17, 2012; or August 17-19, 2012"
- Item "T" (closed session) **REMOVE** the item titled "Application Reviews – 1) Todd Pyka – Application for Licensed Clinical Social Worker (LCSW)"
- Item "V-3" (closed session) Under the item titled "Deliberation on Proposed Stipulations, Final Decisions and Orders – 3) Jackie M. Morter, L.C.S.W. (09 SOC 074)" **REPLACE** the stipulation provided in meeting materials with the document distributed at the meeting.

MOTION: Nicholas Smiar moved, seconded by Daryl Wood, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF DECEMBER 12, 2011

Amendments to the Minutes:

- Page 6 of the Minutes: At the top of the page in the first sentence of the first paragraph make the following insertion: "The Section **discussed** whether to include..."
- Page 7 of the Minutes: In the last sentence on the page make the following insertion: "Nicholas Smiar informed the Section that he personally **spoke** with Bruce Pamperin..."

- Page 9 of the Minutes: Correct the motion under the sub-header titled “2:15 P.M. APPEARANCE: Michelle Stoneburner – Application for Licensed Clinical Social Worker (LCSW)” as follows: “Eric Alvin moved, seconded by Mary Jo Walsh, to approve the clinical hours of Michelle Stoneburner”
- Page 11 of the Minutes: Under the item titled “Deliberation of Items Received After Printing of the Agenda – 12) Credential Matters: Review of Application Issue for Kathryn Haupt” make the following insertion: “Daryl Wood moved, seconded by Nicholas Smiar, to rescind the denial of the application for Kathryn Haupt and to grant a licensed clinical social worker credential **upon successful passage of the national examination**. Motion carried unanimously.”

MOTION: Daryl Wood moved, seconded by Nicholas Smiar, to approve the minutes of December 12, 2011 as amended. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Dan Williams reported to the Section on the following matters:

- Dan Williams provided an update to the Section, and read an e-mail correspondence from Mark Hale, Department of Health Services (DHS), relating to the status of the MPSW Joint Board’s efforts to bring DHS mental health provider status letter holders under its jurisdiction. The Section briefly discussed the status of this initiative.
- Dan Williams provided an update on the status of Section member appointments. Discussion of Section member recruitment efforts ensued.
- The Section was informed that Peter Fabian was appointed to the Marriage and Family Therapy Section of the MPSW Joint Board as a professional member replacing Ann Marie Starr.

1) Board Member Appointments

Eric Alvin, Chair, made the following Section appointments:

- Screening Panel: Daryl Wood, Nicholas Smiar, Eric Alvin – alternate
- Credentialing Liaison: George Kamps, Nicholas Smiar
- Continuing Education Liaison: Nicholas Smiar
- Division of Enforcement – Monitoring Liaison: Eric Alvin, Daryl Wood – alternate
- Professional Assistance Program (PAP) Liaison: Eric Alvin, Daryl Wood – alternate
- ASWB Exam Issues: Nicholas Smiar
- Travel Liaison: Eric Alvin, Daryl Wood – Alternate

2) Annual Policy Review – Board Member Guidebook

Dan Williams informed the Section that the Department has requested review of the Board Member Guidebook and that each Section member should acknowledge receipt and understanding of this information by signing the statement page at the end of this publication. Dan Williams asked that completed signature forms be returned within 30 days of the meeting.

PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS – UPON SECTION REQUEST

- 1) James E. Bestul, Jr., C.S.W. (10 SOC 040)
- 2) Dan G. Feaster, L.C.S.W. (11 SOC 014)
- 3) Jackie M. Morter, L.C.S.W. (09 SOC 074)
- 4) Erica R. Stebane, A.P.S.W. (10 SOC 075)

The Section opted not to receive presentations of the Stipulations, Final Decisions and Orders in the matter of disciplinary proceedings against James E. Bestul, Jr., C.S.W. (10 SOC 040), Dan G. Feaster, L.C.S.W. (11 SOC 014), Jackie M. Morter, L.C.S.W. (09 SOC 074), and Erica R. Stebane, A.P.S.W. (10 SOC 075). These matters will be deliberated in closed session.

9:20 A.M. APPEARANCE: AMANDA BARBIAN, OFFICE OF EDUCATION AND EXAMINATIONS – 2009-2011 SOCIAL WORKER CONTINUING EDUCATION AUDIT COMPLIANCE REPORT

Amanda Barbian, Office of Education and Examinations, appeared before the Section to discuss results of the 2009-2011 continuing education audit. The Section discussed the frequency and enforcement of continuing education audits.

MOTION: Nicholas Smiar moved, seconded by George Kamps, to authorize Eric Alvin, Chair, to write a letter to the Department, thanking the Department for its efforts in the current continuing education audit and requesting that the Department make available resources for future biennial audits. Motion carried unanimously.

MOTION: Nicholas Smiar moved, seconded by Daryl Wood, to refer the licensees who were found to be out of compliance with the Section's continuing requirements for the 2009-2011 biennium to the Division of Enforcement for follow-up. Motion carried unanimously.

SECTION CREATION AND PRIORITIZATION OF GOALS FOR 2012

The Section discussed the creation of a sub-committee to identify and prioritize prospective goals. The subcommittee should also identify issues that affect the other Sections of the Joint Board so that these issues can be addressed by the Joint Board. A number of goals were identified by the Section. Joanne Barndt provided comments during Section discussion of these goals.

- Pursuit of the DHS Letter Holder Issue
- Regular completion of biennial CE audits
- Reinstatement of the Regulatory Digest with electronic distribution
- Standardization of Supervisory Standards and finalization of Section Supervisory Forms
- Reporting Submission to ASWB/DARS
- Schedule appearance by ASWB before the Section to discuss services available to the Section (coordinate this appearance with an appearance by NASW)

- Review of examination data (from ASWB) for Wisconsin test takers.
- Execute updates to the “Social Worker Section File Review Handbook”
- Achieve Medicaid reimbursement of mental health trainees
- Review, revision and expansion of the Section’s scope of practice FAQ pages on the Department website (This goal may be complicated by the requirements set forth in Executive Order 50.)
- Explore issues relating to test takers/applicants who speak a foreign language or English as a second language. (Section noted that this issue was raised at the ASWB annual meeting – ESL test takers are failing at a higher rate than others.)
- Explore the possibility of generating reports in an effort to identify trends in disciplinary cases, licensing, applicants, exams, etc.
- Future Board Consideration: Practice protection standards especially in professions where a social work credential is required.

MOTION: George Kamps moved, seconded by Nicholas Smiar, to refer the task of identifying and prioritizing possible Section goals to a subcommittee consisting of George Kamps and Eric Alvin, with Section review to occur in February 2012. Motion carried unanimously.

SECTION DISCUSSION OF SUPERVISORY STANDARDS

Review and Consideration of Supervisory Forms

George Kamps led the Section in a review of his latest rounds of revisions to the draft supervisory application forms. Discussion of the forms ensued. During form review Sharon Henes and Colleen Baird outlined concerns relating to the utilization of position descriptions in conjunction with application reviews. The Section will review additional form revisions in February.

SECTION DISCUSSION AS TO THE POTENTIAL LOSS OF INSTITUTIONAL KNOWLEDGE UPON SECTION MEMBER DEPARTURES

Review of Document Outlining Procedures Relating to the Work of the Section Prepared by George Kamps

George Kamps noted that document outlining procedures relating to the work of the Section is a work in progress and indicated that he will present this item at a future meeting.

SECTION REVIEW AND DISCUSSION OF POSSIBLE UPDATES TO THE “SOCIAL WORK SECTION FILE REVIEW MATERIALS” FOLDER

Eric Alvin informed the Section updates to the “Social Work Section File Review Materials” folder are a work in progress and indicated that this item should be kept on the agenda for future discussion.

DISCUSSION AND CLARIFICATION OF LICENSED CLINICAL SOCIAL WORK (LCSW) LICENSING PROCEDURES

Review of Draft Flowchart Outlining Application Review Criteria for LCSW Reciprocal Candidates Prepared by George Kamps

George Kamps reported to the Section regarding the status of his efforts to draft a flowchart outlining application review criteria for LCSW reciprocal candidates. The Section tabled discussion of this topic until a future meeting.

REVIEW OF PROPOSAL FOR DEVELOPMENT OF A WHITE PAPER ON CLINICAL PRACTICE RELATING TO THE LICENSED CLINICAL SOCIAL WORKER (LCSW)

Review of Draft White Paper on Clinical Practice by LCSW's Prepared by George Kamps

George Kamps indicated that the white paper on clinical practice by LCSW's is a work in progress and is tied into the creation of the flowchart outlining application review criteria for LCSW reciprocal candidates. Colleen Baird indicated that, once complete, this white paper will be subject to review by the Office of the Governor as a result of Executive Order 50.

REVIEW OF PROPOSED REVISIONS TO THE APPLICATION FORMS FOR OBTAINING A SOCIAL WORK TRAINING CERTIFICATE (SWTC) AND CONSIDERATION OF ADDITIONAL MODIFICATIONS

Eric Alvin reviewed status of this project with the Section. The Section discussed functionality of the forms and changes to be made. The Section will discuss this topic at its next meeting.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

1) 2011 Senate Bill 280

The Section reviewed a letter of opposition drafted by George Kamps regarding the Section's concerns relating to 2011 Senate Bill 280. George Kamps informed the Section that the opposition letter had been distributed to the parties identified by the Section at its last meeting. Marc Herstand, NASW-WI Chapter, informed the Section that he met with Chief of Staff for Leah Vukmir, Chair of the Committee on Health, and outlined a number of groups that are in opposition to 2011 SB 280. He noted that the only group currently in favor of SB 280 is the group pursuing this legislation. Marc Herstand then reported to the Section regarding his meetings with State Senator Terry Moulton and State Representative Keith Ripp.

2) 2011 Assembly Bill 438/2011 Senate Bill 437

The Section reviewed 2011 AB 438/2011 SB 437. Marc Herstand provided comments to the Section during discussion of this legislation.

DISCUSSION ON POSSIBLE WEBSITE IMPROVEMENTS AND REVIEW OF FREQUENTLY ASKED QUESTIONS RELATING TO THE SCOPE OF PRACTICE OF SOCIAL WORK

The Section did not discuss this item due to time constraints, but requested that this matter be addressed at the April 2012 meeting.

SCREENING PANEL REPORT

Eric Alvin reported that the screening panel reviewed two cases and closed two cases.

ITEMS RECEIVED AFTER PRINTING OF THE AGENDA

- 1) Class 1 Hearings on Denial of Applications for Licensure
- 2) Presentations of Petition(s) for Summary Suspension
- 3) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 4) Presentation of Proposed Final Decision and Order(s)
- 5) Review for Approval: Psychometric Testing
- 6) Informational Item(s)
- 7) DOE Matters
- 8) Education and Examination Matters
- 9) Credentialing Matters
- 10) Practice Questions/Issues
- 11) Legislation/Administrative Rule Matters
- 12) Liaison Report(s)
- 13) **Speaking Engagement(s), Travel, or Public Relation Request(s)**

Consideration of Attendance at the 2012 ASWB Board Member Training: March 2-4, 2012; June 15-17, 2012; or August 17-19, 2012

The Section considered attendance and took action as described below.

MOTION: George Kamps moved, seconded by Daryl Wood, to authorize Nicholas Smiar to attend an ASWB Board Member Training in 2012. Motion carried unanimously.

CONVENE TO CLOSED SESSION

MOTION: Nicholas Smiar moved, seconded by Daryl Wood, to adjourn to closed session pursuant to Wisconsin Statutes 19.85(1)(a)(b)(f) and (g), to review applications, deliberate on proposed stipulations, deliberate on administrative warnings; deliberate on hearings or appearances for denial of applications; review monitoring cases; review DOE cases, and consult with legal counsel. Roll Call Vote: Eric Alvin-yes; George Kamps-yes; Nicholas Smiar-yes; and Daryl Wood-yes. Motion carried unanimously.

The Section convened into Closed Session at 12:18 p.m.

RECONVENE TO OPEN SESSION

MOTION: Nicholas Smiar moved, seconded by George Kamps, to reconvene into open session. Motion carried unanimously.

The Section reconvened into Open Session at 3:44 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF
VOTING IS APPROPRIATE**

DELIBERATION ON MONITORING MATTERS

1) **1:00 P.M. APPEARANCE: Robert K. La Fountain, LCSW**

MOTION: Nicolas Smiar moved, seconded by George Kamps, to modify the Order of Robert K. LaFountain, LCSW, as a result of the psychological assessment ordered by the Section on 4/14/2010, as follows:

- Must work in pre-approved work setting, is not permitted to practice independently, and shall submit quarterly work reports to the Department Monitor for a period of least two years beginning with the date of employment.
- Must submit a copy of the psychological assessment including all reports provided by Dr. Schoener, in addition to a copy of all Orders, to both his supervisor and therapist.
- Continue therapy per the recommendation of treator, with a provider pre-approved by the Section, and require submission of therapy reports, on a quarterly basis, to be submitted to the Department Monitor.
- Supervision must be consistent with the recommendations in the reports provided by Dr. Schoener.

Motion carried unanimously.

**DELIBERATION ON PROPOSED STIPULATIONS, FINAL DECISIONS AND
ORDERS**

1) **James E. Bestul, Jr., C.S.W. (10 SOC 040)**

MOTION: George Kamps moved, seconded by Nicholas Smiar, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against James E. Bestul, Jr., C.S.W. (10 SOC 040). Motion carried unanimously.

2) **Dan G. Feaster, L.C.S.W. (11 SOC 014)**

MOTION: Nicholas Smiar moved, seconded by Daryl Wood, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Dan G. Feaster, L.C.S.W. (11 SOC 014). Motion carried unanimously.

3) **Jackie M. Morter, L.C.S.W. (09 SOC 074)**

The Section received and deliberated on a replacement stipulation, final decision and Order in the matter of disciplinary proceedings against Jackie M. Morter, L.C.S.W. (09 SOC 074).

MOTION: Daryl Wood moved, seconded by George Kamps, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Jackie M. Morter, L.C.S.W. (09 SOC 074). Motion carried unanimously.

4) **Erica R. Stebane, A.P.S.W. (10 SOC 075)**

MOTION: George Kamps moved, seconded by Nicholas Smiar, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Erica R. Stebane, A.P.S.W. (10 SOC 075). Motion carried unanimously.

DELIBERATION ON PROPOSED ADMINISTRATIVE WARNINGS

1) **11 SOC 072**

MOTION: Nicholas Smiar moved, seconded by Daryl Wood, to issue an administrative warning in the matter of case number 11 SOC 072. Motion carried unanimously.

2) **11 SOC 074**

MOTION: George Kamps moved, seconded by Nicholas Smiar, to issue an administrative warning in the matter of case number 11 SOC 074. Motion carried unanimously.

DELIBERATION OF ITEMS RECEIVED AFTER PRINTING OF THE AGENDA

- 1) Application Issues and/or Reviews
- 2) Class 1 Hearings
- 3) Professional Assistance Procedure (PAP)
- 4) Monitoring Matters
- 5) Proposed Stipulations, Final Decisions and Orders
- 6) Administrative Warnings
- 7) Orders Fixing Costs/Matters Related to Costs
- 8) Proposed Final Decisions and Orders
- 9) Petitions for Summary Suspension
- 10) Petitions for Re-hearings
- 11) Examination Issues
- 12) Credential Matters
- 13) Appearances from Requests Received or Renewed
- 14) Motions

REVIEW AND APPROVAL OF APPLICATIONS

The Section reviewed application files.

DIVISION OF ENFORCEMENT

1) Case Status Report

The Section reviewed a report detailing its pending enforcement cases.

2) Case Closings

11 SOC 069

MOTION: Nicholas Smiar moved, seconded by Daryl Wood, to close case 11 SOC 069 for insufficient evidence. Motion carried unanimously.

11 SOC 005

MOTION: Daryl Wood moved, seconded by George Kamps, to close case 11 SOC 005 for insufficient evidence. Motion carried unanimously.

11 SOC 054

MOTION: George Kamps moved, seconded by Nicholas Smiar, to close case 11 SOC 054 for no violation. Motion carried unanimously.

11 SOC 083

MOTION: Daryl Wood moved, seconded by George Kamps, to close case 11 SOC 083 against C.K. for no violation. Motion carried unanimously.

11 SOC 043

MOTION: Daryl Wood moved, seconded by Nicholas Smiar, to close case 11 SOC 043 for insufficient evidence. Motion carried unanimously.

DOE SIGNATURE COLLECTION

Signatures were collected for all required documents.

OTHER SECTION BUSINESS

The Section acknowledged Mary Jo Walsh for her years of service to the Section.

MOTION: Nicholas Smiar moved, seconded by George Kamps, to authorize Eric Alvin, Chair, to generate a letter of thanks and appreciation to Mary Jo Walsh. Motion carried unanimously.

ADJOURNMENT

MOTION: Nicholas Smiar moved, seconded by Daryl Wood, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 3:53 p.m.